

Overview of CWA Section 319 Grant Program



Clean Water Act (CWA)

- Section 319
Provides grants to states, territories, and Tribes to address the water quality problems caused by NPS pollution
- Section 518
Authorizes EPA to treat federally recognized Indian Tribes in the same manner as states and extend grants funded through Section 319

CWA Section 319 National Program Facts

- From 1997 to 2008, participating Tribes have increased from 11 to 137
- Participating Tribes represent more than 75% of all tribal land, approximately 40 million acres
- Approval of additional Tribes is expected in 2008

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CWA Section 319 Grant Facts:

- Tribes must be determined eligible for funding before they can apply.
- Funding is available on an annual basis at the national level through EPA HQ to all eligible tribes.
- CWA Section 319 grants typically have one-year project and budget periods.

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CWA Section 319 Allowable Grant Program Funded Activities

Implementation of Tribal NPS Management Programs

- Implementation of management measures / best management practices in priority watersheds and areas of concern
- Local coordination and planning of watershed projects

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CWA Section 319 Allowable Grant Program Funded Activities (cont'd)

- Information and education outreach
- Pre and post project water quality monitoring for NPS assessments and watershed projects to measure environmental results
- Watershed-Based Plans development and implementation

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CWA Section 319 Grant Program Eligibility Requirements

Through a 2-step process the Tribe must have approved by the Regional Office:

1. Documentation of tribal eligibility (TAS/FAE)
2. NPS Assessment Report and NPS Management Program Plan

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Eligibility Requirement #1: Treatment as a State Eligibility (CWA Section 518(e))

A Tribe must demonstrate:

- Federal recognition
- Substantial governmental duties and powers
- Capability to carry out program
- Legal authority and jurisdiction

→ Essentially the same as CWA Section 106 TAS/FAE.

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Eligibility Requirement #1: Treatment as a State Eligibility (CWA Section 518(e))

1. Federal recognition

Tribe must be Federally recognized by the Secretary of the Interior.

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Federal Register / Vol. 67, No. 134 / Friday, July 12, 2002 / Notices

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Indian Entities Recognized and Eligible To Receive Services From the United States Bureau of Indian Affairs

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice.

SUMMARY: Notice is hereby given of the current list of 562 tribal entities recognized and eligible for funding and services from the Bureau of Indian Affairs by virtue of their status as Indian tribes. This notice is published pursuant to Section 104 of the Act of November

changes, the tribe's former name is included with the new tribal name. We will continue to list the tribe's former name for several years before dropping the former name from the list. We have also made several corrections. To aid in identifying corrections, the tribe's previously listed name is included with the tribal name.

The listed entities are acknowledged to have the immunities and privileges available to other federally acknowledged Indian tribes by virtue of their government-to-government relationship with the United States as well as the responsibilities, powers, limitations and obligations of such tribes. We have continued the practice

Big Sandy Rancheria of Mono Indians of California
Big Valley Band of Pomo Indians of the Big Valley Rancheria, California
Blackfeet Tribe of the Blackfeet Indian Reservation of Montana
Blue Lake Rancheria, California
Bridgeport Paiute Indian Colony of California
Buena Vista Rancheria of Me-Wuk Indians of California
Burns Paiute Tribe of the Burns Paiute Indian Colony of Oregon
Cabazon Band of Cahuilla Mission Indians of the Cabazon Reservation, California
Cachil DeHe Band of Wintun Indians of the Colusa Indian Community of the Colusa Indian Reservation, California


Eligibility Requirement #1: Treatment as a State Eligibility (CWA Section 518(e))

2. Tribal government

Narrative statement describing how the governing body carries out its duties and powers.

- Constitution
- Articles of incorporation
- Codes
- Ordinances
- Resolutions





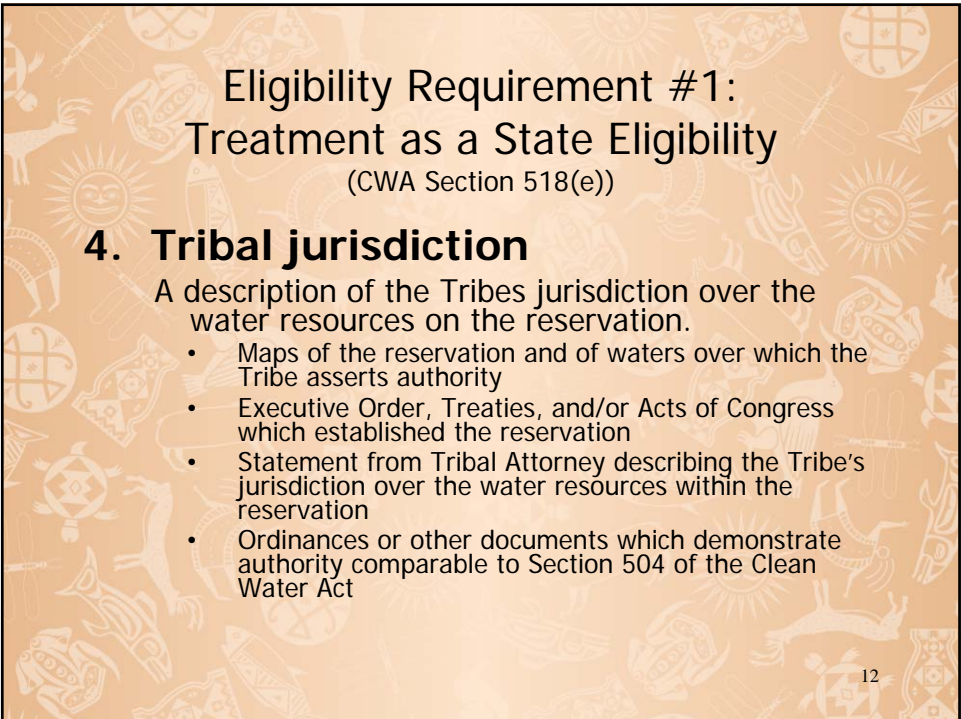
Eligibility Requirement #1: Treatment as a State Eligibility (CWA Section 518(e))

3. Capability

Narrative statement describing the Tribes capability to administer programs.

- Previous and current general managerial experience
- Evidence of environmental and public health concerns
- Description of existing and proposed staff resources (include resumes of staff)
- Description of accounting and procurement systems

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Eligibility Requirement #1: Treatment as a State Eligibility (CWA Section 518(e))

4. Tribal jurisdiction

A description of the Tribes jurisdiction over the water resources on the reservation.

- Maps of the reservation and of waters over which the Tribe asserts authority
- Executive Order, Treaties, and/or Acts of Congress which established the reservation
- Statement from Tribal Attorney describing the Tribe's jurisdiction over the water resources within the reservation
- Ordinances or other documents which demonstrate authority comparable to Section 504 of the Clean Water Act

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